

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 11-305(6) (DSD/LIB)

United States of America,

Plaintiff,

v.

ORDER

Lawrence Lalonde Colton,

Defendant.

This matter is before the court upon the motion for judgment of acquittal by defendant Lawrence Lalonde Colton. Colton made the motion at trial after the government closed its evidence. The court reserved decision on the motion until after the jury returned its verdict. The jury found Colton guilty of all counts in the amended superseding indictment, and the court now addresses the motion.

Upon a defendant's motion, the court must enter a judgment of acquittal "of any offense for which the evidence is insufficient to sustain a conviction." Fed. R. Crim. P. 29(a). When considering a motion for judgment of acquittal based on sufficiency of the evidence, the court views the evidence "in the light most favorable to the verdict, giving it the benefit of all reasonable inferences." United States v. Cacioppo, 460 F.3d 1012, 1021 (8th Cir. 2006) (citation and internal quotation marks omitted). The

court will grant the motion "only if there is no interpretation of the evidence that would allow a reasonable jury to find the defendant guilty beyond a reasonable doubt." Id.

In the present case, the government offered overwhelming evidence of Colton's guilt as to all counts and all objects of the conspiracy. Therefore, denial is warranted. Accordingly, **IT IS HEREBY ORDERED** that the motion for judgment of acquittal is denied.

Dated: August 17, 2012

s/David S. Doty
David S. Doty, Judge
United States District Court